

COMMISSIONERS MEETING

January 4, 2023

YORK,ss

At a regular meeting of the County Commissioners of the County of York, begun and holden at the York County Government Building in Alfred, within and for the County of York, being held on Wednesday, January 4, 2023 A. D. at 4:30 P. M.

Commissioners Andrews, Dutremble and Chenette and Register of Deeds Nancy Hammond and District Attorney Kathryn Slattery were sworn in at 4:00 p.m. by County Manager Zinser. Brief intermission prior to the start of the 4:30 meeting.

COMMISSIONERS PRESENT:

Richard R. Dutremble
Richard Clark
Robert Andrews
Justin Chenette
Donna Ring

County Manager Gregory Zinser was present at the meeting.

YOU ARE INVITED TO RISE AND SALUTE THE FLAG OF THE UNITED STATES

01-04-23

ITEM

1

TO SELECT A COUNTY COMMISSIONER CHAIRPERSON FOR 2023

Commissioner Ring nominated Commissioner Dutremble. Commissioner Chenette seconded the motion. Vote 5-0.

2

TO SELECT A COUNTY COMMISSIONER VICE CHAIRPERSON FOR 2023

Commissioner Ring nominated Commissioner Justin Chenette. Commissioner Andrews seconded the motion.

Commissioner Clark nominated Commissioner Andrews. Commissioner Dutremble seconded the motion.

Discussion: Commissioner Chenette stated that the Commissioners are a great group as well as the many county employees. He added that if he received this particular leadership role, he would make sure we are inclusive of all Commissioners' concerns. Commissioner Chenette stated that he would appreciate the support of fellow commissioners.

Commissioner Andrews stated that he would like to continue as vice-chairperson.

Commissioner Dutremble commented that his original thought was for someone else to be Chair and that didn't work out.

Vote- (for Commissioner Chenette) Commissioners Andrews, Ring and Dutremble voted in the affirmative with Commissioner Clark voting against. (4-1) Commissioner Clark voted

for Commissioner Andrews with three opposed. Commissioner Chenette is the Vice-chairperson for 2023.

3 PUBLIC COMMENT(S) ON ANY ITEM(S)

Janet Drew addressed the Board via Zoom and asked if there are any statistics that Commissioners receive (regional information) that comes back to the county regarding statistics on the number of people in the county jail in pre-trial. Janet Drew reported that she read there are 75% in the State of Maine in jail awaiting trial. We need other alternatives, she stated. She questioned going forward with the county's plan for the detox center and how the records side will work. If one fails, does that mean their record cannot be expunged? Commissioner Dutremble asked the County Manager to obtain the information. There is a report filed with the court system that he will get from the Sheriff, stated County Manager Zinser. Sheriff King commented via Zoom. He stated that the last statistics he heard was that we were upwards of 90% pretrial but it is a priority with York County Jail and York County D.A. We are identifying people to get them to trial. Sheriff King continued that they are still dealing with the effects of COVID. Janet Drew replied that state law says that there would not be arrests for non-violet crimes. How are we doing with that? 90% of people awaiting trial is really scary, she said.

Sheriff King replied to Janet Drew by saying that while he appreciates her concern and thought process but that nobody at the County level has the jurisdiction to let inmates leave. Conditions are set by the legal process. Sheriff King added that they do have an intake modification program, currently. We only accept people that are arrested for major crimes, he explained but that will be loosened soon.

not on agenda-left off as an oversight

3a- To select a Commissioner for the MCCA Board and MCCA Risk Pool- Commissioner Clark nominated Commissioner Dutremble for both MCCA Boards. Commissioner Ring seconded the motion. Vote 5-0. Commissioner Dutremble nominated Commissioner Clark. Commissioner Andrews seconded the motion. Vote 5-0.

4 TO SELECT A WORKFORCE CENTER DIRECTOR FOR 2023

Commissioner Ring nominated Commissioner Clark. Commissioner Chenette seconded the motion. Vote 5-0.

5 TO SELECT A SOUTHERN MAINE REGIONAL PLANNING REPRESENTATIVE FOR 2023

Commissioner Ring nominated Commissioner Dutremble. Commissioner Andrews seconded the motion. Vote 5-0.

6 TO REVIEW AND APPROVE THE MINUTES OF THE COUNTY COMMISSIONERS' MEETINGS-

a. Commissioners' Regular Meeting of December 21, 2022

Commissioner Clark motioned to approve the minutes of December 21, 2022.

Commissioner Andrews seconded the motion. Vote 4-1 with Commissioner Chenette abstaining.

7 TO ADOPT ROBERT'S RULES OF GOVERNANCE FOR CONDUCTING 2023 COMMISSIONER MEETINGS

Commissioner Ring motioned to adopt Robert's Rules of Governance for conducting 2023 Commissioners' meetings. Commissioner Andrews seconded the motion. Vote 5-0.

TO SELECT A DAY AND TIME FOR CONDUCTING REGULAR COUNTY COMMISSIONER MEETINGS FOR 2023

1st and 3rd Wednesdays beginning at 4:30 P.M.-following dates: January 4, January 18, February 1, February 15, March 1, March 15, April 5, April 12, May 3, May 17, June 7, (June 21st if needed), July 5, (July 19th if needed), August 2, (August 16th if needed), September 6, September 20, October 4, October 18, November 1, November 15, December 6, December 20.

Commissioner Chenette motioned to adopt the recommendation for meetings on the first and 3rd Wednesdays but motioned to move the meeting time to 6:00 p.m. Commissioner Ring seconded the motion.

DISCUSSION: Commissioner Clark stated that he felt it more appropriate for folks that work here all day and come to provide us with information to not have to stay 1 ½ hours longer.

Commissioner Chenette responded that one of the reasons that he is sitting in this seat is that his district is expecting a greater say in the things that go on. Constituents have told him 4:30 is not acceptable. Cumberland County Commissioners meet at 5:30. Selectboard meetings are held at 6:00 or 7:00 even. Mainers should have a say in what is done, stated Commissioner Chenette. He added that he realizes just changing the time won't necessarily change greater involvement, but we are giving them a greater opportunity to be more involved, continued Commissioner Chenette. Maybe 6:00 isn't sufficient, maybe it needs to be 6:30 or 7:00.

Commissioner Ring stated that as a former employee (since 1979), she attended every Commissioners' meeting for 40 years. She continued that for the first 30 years the meetings were held at 7:00 p.m. There were meetings that weren't well attended. During budgetary time, they were very well attended, Commissioner Ring informed all. She continued that in the last 8-10 years it was at 4:30 and there hasn't been a lot of attendance. She commented that she would like to try a later meeting. It might be more difficult for employees but we don't answer to them. We are here for the public, stated Commissioner Ring.

Commissioner Andrews asked Commissioner Ring if there was a record of why we went from a later time to 4:30? Commissioner Ring replied because it was more convenient for administration she thought.

Commissioner Clark stated that he has attended public hearings in the State House that have required him to take a day off from work and submitted his copies of testimonies and return home. Commissioner Clark added that he has been involved in municipal and county government for 24 years and that he has always made himself available to his constituents. He added that we are available by Zoom. Commissioner Clark said that he doesn't see moving the meeting time to 6:00 serves any useful purpose.

Commissioner Andrews stated that while he recognizes the interest in moving to a later time, he doesn't see that more interest (in the meetings) would really happen. Changing it would make it difficult for county employees who are mostly involved in these meetings.

Commissioner Dutremble said that he debated which way he wants to go. He continued that he had only one e-mail asking for the meeting time to change. We have already tried this and nothing changed. He stated that he would say okay to 5:00 but no to 6:00.

Commissioner Chenette stated that he was open to discussion on the time. He explained that 4:30 is not really 4:30 if you have to travel, it becomes 3:00 or 3:30 to get to Alfred. Even at home one needs to travel from work to get home. Also, special (Commissioners') meetings are held earlier. The legislature does do that, but we are not the legislature, stated Commissioner Chenette. We only meet twice a month. We don't need to force our constituents to take time off, stated Commissioner Chenette. He said that this is the number 1

issue in his district. By denying them the opportunity to do so, we are denying them participation in their government, commented Commissioner Chenette.
Commissioner Ring asked if it is possible to try this for 6 months for a little later time. I would like to see a later time and compromise to 5:30. I really do think we need to try a later meeting, she stated.
Commissioner Dutremble stated that he respected the other Commissioners' inputs, but we did already try this before and it didn't change (no greater participation).
Commissioner Chenette replied that he was happy to withdraw his motion and put forward a compromise time that aligns with Cumberland County, our neighboring county.
Commissioner Chenette withdrew his motion. Commissioner Ring withdrew her second.
Commissioner Chenette asked if a motion for 5:30 would have any support? Other Commissioners stated no.
Commissioner Chenette motioned to hold the Commissioners' meetings at 5:00.
Commissioner Ring seconded the motion.
DISCUSSION- Commissioner Andrews stated that he does accept 5:00. Commissioner Dutremble agreed but added this is temporary for 6 months and then the Board will review and if participation is not increased the meeting time goes back to 4:30. Vote 4-1 with Commissioner Clark opposed.

9

TO REVIEW AND ADOPT POLICIES FOR 2023 AS FOLLOWS:

- a. **MILEAGE REIMBURSEMENT RATE** (manager recommends '23 IRS rate 62.5 cents)
County Manager Zinser explained that the IRS set a rate of 65.5 cents after the agenda went out. He explained that typically we have always used the IRS rate.
Commissioner Clark motioned to accept the manager recommended rate of 65.5 cents. Commissioner Andrews seconded the motion.
DISCUSSION: Commissioner Ring asked why do we go by the IRS rate and what is State of Maines' rate?
County Manager Zinser replied that is most applicable.
Commissioner Ring asked if we are required to use this rate? County Manager Zinser replied, no.
Commissioner Dutremble stated that the cities and towns usually accept IRS.
Vote 5-0.
- b. **MEALS ON COUNTY BUSINESS RATE** (manager recommends increase of \$5.00 to \$15.00-breakfast, \$20.00 lunch, \$25.00 dinner or \$60.00 per diem)
Special note:* When the event you are attending includes any of the meals you are required to take part in the meal. If you are staying at a hotel that provides breakfast, you must utilize the breakfast provided by the hotel. In these instances, the amounts stated above will be deducted from the per diem rate. *RECEIPTS REQUIRED***
Commissioner Clark motioned to approve the meal reimbursement rates. Commissioner Ring seconded the motion. Vote 5-0.
- c. **POLICE/ACCIDENT/INCIDENT REPORTS** (manager recommends '21 rate \$20.00)
Commissioner Clark motioned to accept the rate as recommended by the Manager. Commissioner Ring seconded the motion. Vote 5-0.
- d. **BACKGROUND CHECKS FEES** (manager recommends Sheriff's \$5.00 increase \$20.00)
Commissioner Clark motioned to approve the rate as recommended by the Manager. Commissioner Ring seconded the motion. Vote 5-0.
- e. **NOTARIZATION/ATTESTATION FEES** (manager recommends '20 rate of

\$5.00/\$10.00)

Commissioner Clark motioned to approve. Commissioner Ring. Vote 5-0.

10 TO APPROVE TREASURERS' WARRANT(S)

a. Approve treasurer's warrant dated December 21, 2022 in the amount of \$1,450,912.09
Commissioner Clark motioned to approve the warrant. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Ring asked why the warrant amount was so high? County Manager Zinser explained that warrant contains two weeks. There is a worker's compensation first half payment and a building project payment included in that warrant, also. Vote 5-0.

b. Approve treasurer's warrant dated December 28, 2022 in the amount of \$465,839.10
Commissioner Clark motioned to approve the warrant. Commissioner Andrews seconded the motion.

Discussion: Commissioner Ring stated that in reviewing this warrant, she noticed that there were 7 different payments for vehicle safety reviews and wondered if there is an issue. County Manager Zinser stated that there has been a grievance filed by MSEA. Vote 5-0.

11 HEAR ANY REPORTS OF THE COMMISSIONERS

Commissioner Dutremble informed all about the annual meeting of the Maine County Commissioners' Association to be held on January 11th at the Senator Inn in Augusta. An agenda with more information will be sent out on January 6th. He added that they hope to have legislators there.

12 HEAR ANY REPORTS OF THE COUNTY MANAGER

13 NEW BUSINESS

a. Discussion of allocation of ARPA funds- County Manager Zinser explained at the last meeting it was requested that we get the remainder of the funds committed to the two projects. He continued that in the spreadsheet provided to the Commissioners, the remaining funds in ARPA are \$27,500,327.34 with \$35 million in estimated total costs. Commissioner Clark stated that we discussed this for quite some time. Therefore, he is asking that we mark the money as committed to these projects.

Commissioner Clark motioned that the \$27,500,327.34 remaining in the ARPA fund be earmarked for the two projects (recovery and training centers) and be divided equally between the two. Commissioner Andrews seconded the motion.

DISCUSSION: Commissioner Chenette asked how did you arrive at \$17.5 million equally? County Manager Zinser explained that we brought on a construction management firm, Landry- French. Once we get the final design, estimating begins. Currently, the estimated cost is \$14 - \$17 million per building so we simply split the money in half.

Commissioner Chenette asked for an explanation about other monies on the spreadsheet and the deficit.

County Manager Zinser explained that we put aside about \$1.4 million in reserves. These funds were appropriated by the Board at the last meeting for these specific projects.

We just received \$1.9 million from Senators King and Collins and last year \$1 million from the same process.

County Manager Zinser continued that there are a lot of options on the table that we will continue to pursue. The County Manager added that his recommendation is to forge ahead. "This project is two years down the road so we have a couple of years to figure it out", said County Manager Zinser.

Commissioner Chenette responded that it is concerning to him to charge forward with a deficit on paper although he does support the projects and appreciates the work. Commissioner Clark explained that the County started with \$40 million. Other projects were funded such as a youth center in Biddeford and housing (Fair Tide in Kittery) and \$1.8 million on a dredge. Significant money has also been spent on infrastructure in county buildings to include air quality. We can provide you with an accounting of it, he stated to Commissioner Chenette. Commissioner Clark added that we will continue to receive monies from opioid centers which he expects will go to the Recovery Center. Commissioner Dutremble stated that there are other avenues that we are researching for other funding as well. Vote 5-0.

Commissioner Chenette asked if there could be a visual graphing for constituents trying to locate information on our website. He explained further, some sort of visual element on excel on how we spent the money. County Manager Zinser replied that Dave Nalchajian (ARPA Financial Project Manager) can do that very quickly.

b. Approval of School Resource Officer Agreement between York County and RSU 57- County Manager Greg Zinser explained that this was the agreement with RSU 57 for a school resource officer and asked if there were any questions?

Commissioner Chenette asked why are we getting this for half of the school year?

County Manager Zinser explained that this past summer we agreed to pay for a month and a half so we could have the deputy out patrolling. Commissioner Chenette asked what happens when an individual steps forward for the SRO position- what happens to that coverage? County Manager Zinser explained that you hire for that position or fill from the ranks. We hire for that vacancy. Commissioner Chenette asked what is the contingency plan if we have a vacancy and how do we get coverage?

County Manager Zinser replied that he and the Sheriff are working on the contracts. Over the years some of the contracts have become too customized. coming up with During COVID, there were lots of vacancies. The core mission of the S.O. is to patrol the county. "We need to make sure we can do this," stated the County Manager. We are working on a new method. We are only doing one-year contracts at this time. County Manager Zinser said that the preferred method is an hourly approach.

Commissioner Ring stated that her concern is we are signing a contract six months after the fact. She continued that the other issue is that we provide and maintain a vehicle. Do they reimburse the county of York for the vehicle? County Manager Zinser replied that he thinks we kept the last one on the road. Commissioner Ring responded that the SRO has always been assigned a vehicle. To my knowledge, they have never paid for a vehicle, she stated. County Manager Zinser replied, the latest one, no. They have concerns as to whether or not they need a vehicle. We need to reset something up that works for the County, he commented.

Commissioner Clark motioned to approve the School Resource Agreement between York County and RSU 57. Commissioner Andrews seconded the motion.

Vote 5-0.

14

OLD BUSINESS

a. To review and approve Findings of Facts for tax abatement denial appeal hearing of December 21, 2022

Commissioner Clark asked to table this item as the Findings of Fact given did not reflect that the applicant presented over 200 pages of documents. He stated that it is clear that we were made aware of their arguments by a whole bunch of paperwork.

Commissioner Andrews seconded the motion. Vote 4-1 with Chenette abstaining.

15 PUBLIC COMMENT(S) ON ANY ITEM(S)

Janet Drew asked if the (ARPA) spreadsheet is online and is the money still there for the housing portion. County Manager Zinser replied that it appears in the agenda/supporting documents section of our website but that it will be shifted to ARPA portion of website. County Manager Zinser replied that the one half million is still set aside for housing as it was previously committed by the Board many months ago.

16 TO CONDUCT AN EXECUTIVE SESSION ON PERSONNEL ISSUES PURSUANT TO 1 M.R.S.A. §405 (6) (A), ACQUISITION OF REAL PROPERTY OR ECONOMIC DEVELOPMENT PURSUANT TO 1 M.R.S.A. § 405 (6) (C), LABOR NEGOTIATIONS PURSUANT TO 1 M.R.S.A. § 405 (6) (D) AND CONSULTATION WITH LEGAL COUNSEL PURSUANT TO 1 M.R.S.A. § 405 (6) (E).

None

17 ADJOURN

Commissioner Clark motioned to adjourn the meeting. Commissioner Andrews seconded the motion. Meeting adjourned at 5:30 p.m.